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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

F.A.O. No. 4211 of 2006 (O&M)
Date of Decision : February 20, 2007

Smt. Surjit Kaur and others

... Appellants.

Versus

Sh. Prem Sapra and others.

.. Respondents

CORAM : Hon`ble Mr. Justice Pritam Pal.

Present : Dr. Ajit Atri, Advocate,
for the applicant-appellants.

PRITAM PAL , J. (Oral)

Heard.

There is a delay of 190 days in filing this appeal for enhancement of compensation awarded under the Workmen's Compensation Act, 1923 (for short, "the Act"). No justification has been made to explain such a long delay in the application bearing Civil Misc. No. 18002 CII of 2006 moved under Section 5 of the Limitation Act.

Moreover, the compensation to the tune of Rs.3,68,340/- awarded by the learned Commissioner, under the Act, has already been deposited and received by the applicant-appellants. Under Section 30 of the Act, an appeal is not maintainable unless some substantial question of law

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is shown to have arisen. On merits also, there is no perversity in the findings arrived at by the learned Commissioner.

In the result, at the first place, Civil Misc. No. 18002 CII of 2006 seeking condonation of delay, is dismissed. Accordingly, the main appeal i.e. FAO No. 4211 of 2006 is also dismissed *in limine.*

[PRITAM PAL]
JUDGE

February 20, 2007.
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